

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated : This the 8th day of June, 1998

BEFORE

THE HON'BLE MR. JUSTICE KUMAR RAJARATNAM

WRIT PETITION NO.16373 OF 1998

BETWEEN :

Sri Namdev M.Hoovannavar
s/o Muralidhar Hoovannavar,
aged 40 years, r/o
Bommanabudni, Mudhol Taluk,
Bagalkot, Bijapur District.

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PETITIONER

(By Smt. Geeta Menon for
Smt. M.N.Pramila, Advocate)

AND

1. State of Karnataka
by its Secretary
Dept. of Co-operatives
M.S. Buildings
Bangalore-560 001.
2. Mudhol Taluka Primary
Co-operative Agriculture &
Rural Development Bank Ltd.,
Mudhol Taluk, Bagalkot,
Bijapur District, by its
Secretary.
3. Sri Kalappa Basappa Darugeri
s/o Basappa Darugeri, major,
r/o Channalla, Mudhol Taluk,
Bagalkot.
4. Sri. S.B.Hubballi
s/o not known to peti-
tioner, major, r/o
Mudhol Taluk, Bagalkot.

5. Sri Lakshman Huddar, s/o
not known to petitioner,
major, r/o Sorgavi.
Mudhol Taluk, Bagalkot.

RESPONDENTS

(By Sri B.Veerappa, HCGP
for 1st respondent)

This Writ Petition is filed under Articles 226 and 227 of the Constitution of India praying to quash the order dated 21.4.98-Annexure-E passed by R-1.

The petition coming on for orders this day, the Court made the following :-

O R D E R

In this writ petition the learned counsel for the petitioner Mrs. Pramila Nesargi submitted that Notification was issued on 21.4.1998 nominating respondents 3 to 5 to the managing committee as Government nominees. Another notification was issued subsequent to it at Annexure-D, which stated that all nominations made by the Government are cancelled with immediate effect. By this it was submitted that respondents 3 to 5 cannot participate in the proceedings of the society's management since the notification dated 23.4.1998 nullifies

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the appointment of respondents 3 to 5. If that is so, they may not be permitted to participate in the proceedings of the society. However, whatever rights ^{accrue} ~~eminate~~ from the order dated 21.4.1998 at Annexure-E will be an independent matter dealt with in accordance with law. With this observation, the writ petition is disposed of at the stage of admission.



Sd/-
JUDGE

SJ.